

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

MARVIN MARSHALL, #1193435

§

VS.

§

CIVIL ACTION NO. 6:14cv740

DIRECTOR, TDCJ-CID

§

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge K. Nicole Mitchell. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Report and Recommendation (docket entry #10) is **ADOPTED**.

It is further

ORDERED that the petition for a writ of habeas corpus is **DISMISSED** without prejudice for lack of subject matter jurisdiction. It is further


ORDERED that a certificate of appealability is **DENIED**. It is further

ORDERED that the Clerk of Court shall return unfiled any new petitions for a writ of habeas corpus submitted by the Petitioner regarding his conviction unless he shows that he has received permission from the Fifth Circuit to file it. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 1st day of July, 2015.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE